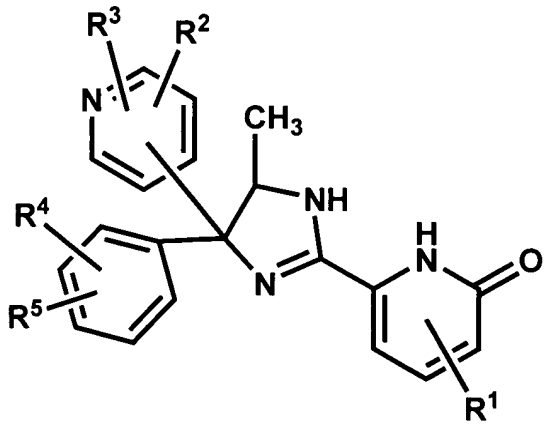
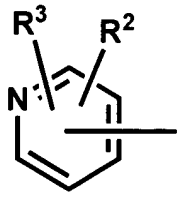
Amendments to the Claims

1. (Original) A compound of the formula (I):

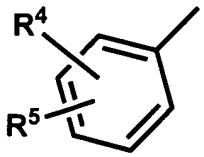


(I)

wherein R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; R^2 and R^3 are each independently hydrogen, halogen or halo-lower alkyl; and R^4 and R^5 are each independently hydrogen or halogen, provided that when R^1 is hydrogen, a group of the formula:

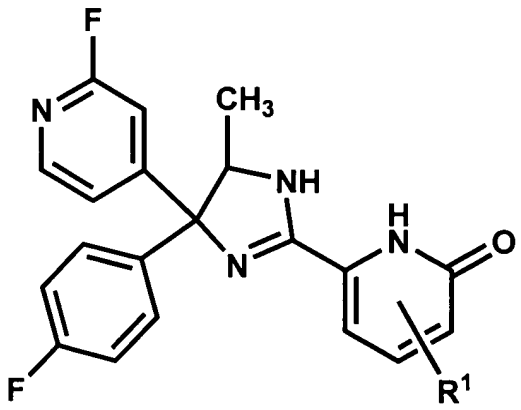


and a group of the formula:



do not represent simultaneously 6-fluoro-3-pyridyl and 4-fluorophenyl, respectively, or a salt thereof.

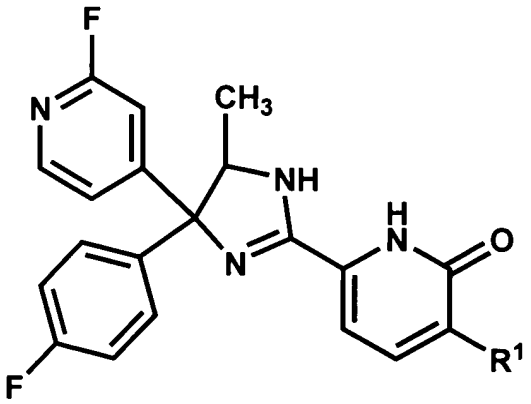
2. (Original) The compound as claimed in Claim 1, wherein the compound is a compound of the formula (Ia):



(Ia)

in which R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy.

3. (Original) The compound as claimed in Claim 2, wherein the compound is a compound of the formula (Ia-1):



(Ia-1)

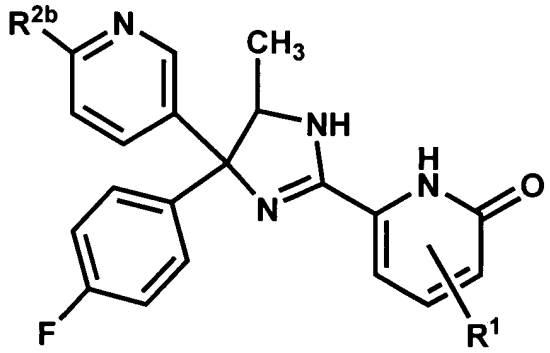
in which R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy.

4. (Currently amended) The compound as claimed in Claim 2 ~~or Claim 3~~, wherein R^1 is hydrogen, halogen or hydroxy.

5. (Original) The compound as claimed in Claim 4, wherein the halogen as R^1 is fluorine.

6. (Original) The compound as claimed in Claim 4, wherein R^1 is hydrogen.

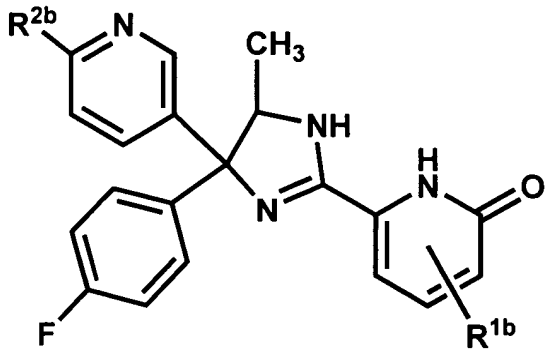
7. (Original) The compound as claimed in Claim 1, wherein the compound is a compound of the formula (Ib):



(Ib)

in which R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; and R^{2b} is halogen or halo-lower alkyl, provided that when R^1 is hydrogen, R^{2b} is not fluorine.

8. (Original) The compound as claimed in Claim 7, wherein the compound is a compound of the formula (Ib-1):



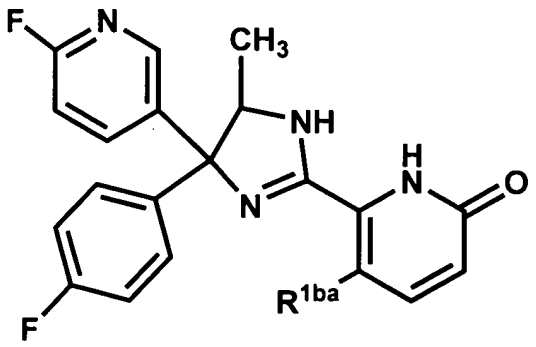
(Ib-1)

in which R^{1b} is halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; and R^{2b} is halogen or halo-lower alkyl.

9. (Original) The compound as claimed in Claim 8, wherein R^{2b} is fluorine or trifluoromethyl.

10. (Original) The compound as claimed in Claim 9, wherein R^{1b} is halogen or lower alkyl.

11. (Original) The compound as claimed in Claim 8, wherein the compound is a compound of the formula (Ib-2):



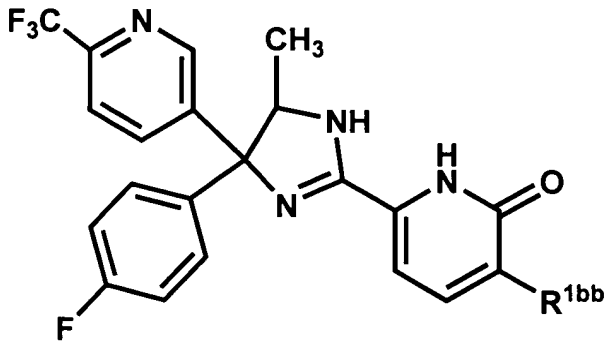
(Ib-2)

in which R^{1ba} is halogen.

12. (Original) The compound as claimed in Claim 11, wherein the halogen as R^{1ba} is

fluorine.

13. (Original) The compound as claimed in Claim 8, wherein the compound is a compound of the formula (Ib-3):

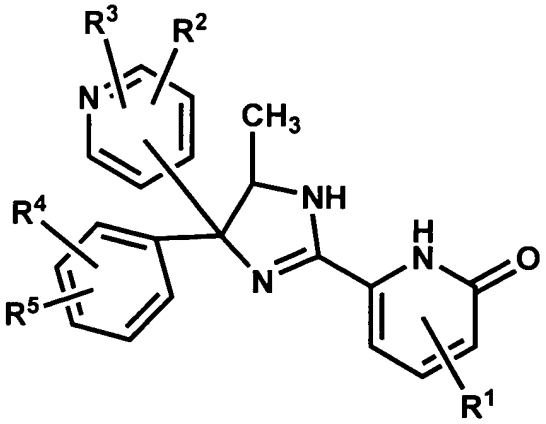


(Ib-3)

in which R^{1bb} is lower alkyl.

14. (Original) The compound as claimed in Claim 13, wherein the lower alkyl as R^{1bb} is methyl.

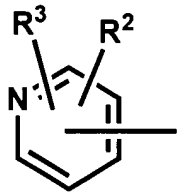
15. (Original) A process for preparing a compound of the formula (I):



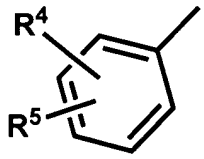
(I)

wherein R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; R^2 and R^3 are each independently hydrogen, halogen or halo-lower alkyl; and R^4 and R^5 are each independently hydrogen or halogen, provided that when R^1 is hydrogen, a group of

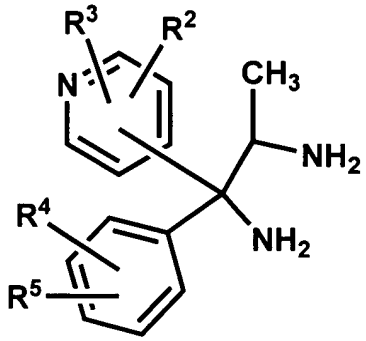
the formula:



and a group of the formula:

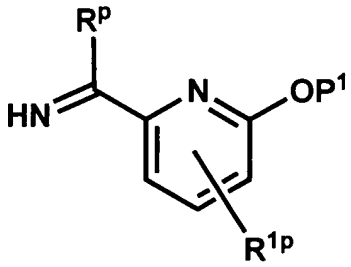


do not represent simultaneously 6-fluoro-3-pyridyl and 4-fluorophenyl, respectively, or a salt thereof, which comprises reacting a compound of the formula (II):



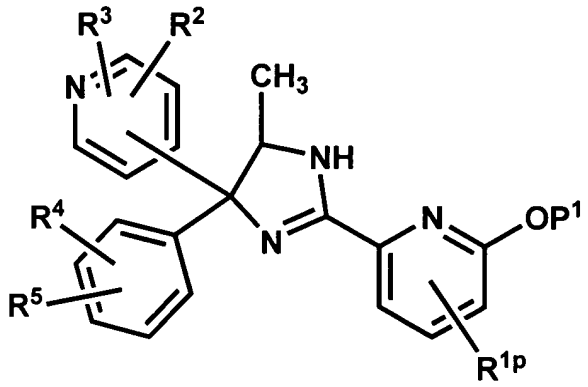
(II)

wherein R^2, R^3, R^4 and R^5 have each the same meaning as defined above, with an acid addition salt of a compound represented by the formula (III):



(III)

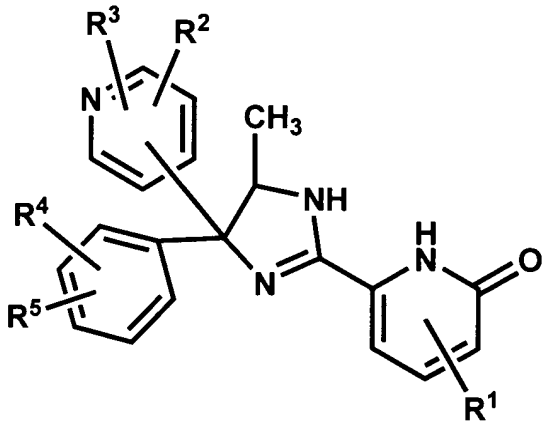
wherein P^1 is hydrogen or a hydroxy-protecting group; R^{1p} is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, lower alkoxy, aralkyloxy or optionally protected hydroxy; and R^p is amino or lower alkoxy, to produce a compound of the formula (IV):



(IV)

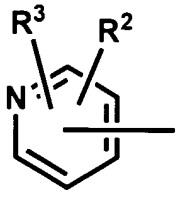
wherein P^1, R^{1p}, R^2, R^3, R^4 and R^5 have each the same meaning as defined above, and optionally removing the protecting group(s) from the compound (IV).

16. (Original) A process for preparing a compound of the formula (I):

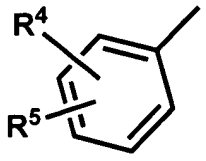


(I)

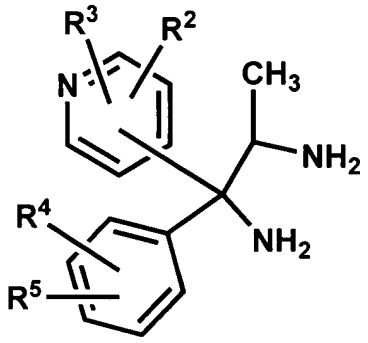
wherein R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; R^2 and R^3 are each independently hydrogen, halogen or halo-lower alkyl; and R^4 and R^5 are each independently hydrogen or halogen, provided that when R^1 is hydrogen, a group of the formula:



and a group of the formula:

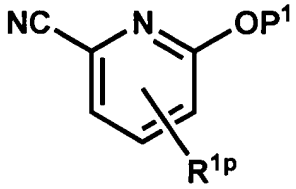


do not represent simultaneously 6-fluoro-3-pyridyl and 4-fluorophenyl, respectively, or a salt thereof, which comprises reacting a compound of the formula (II):



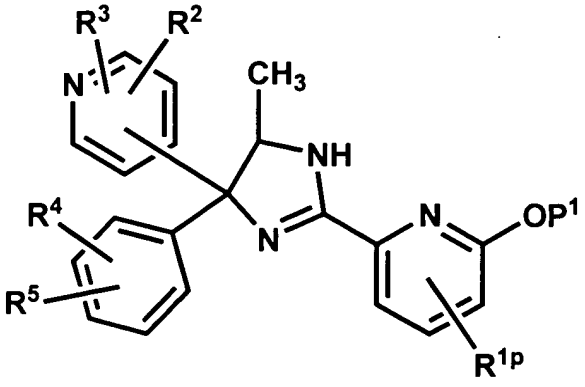
(II)

wherein R^2, R^3, R^4 and R^5 have each the same meaning as defined above, with a compound of the formula (V):



(V)

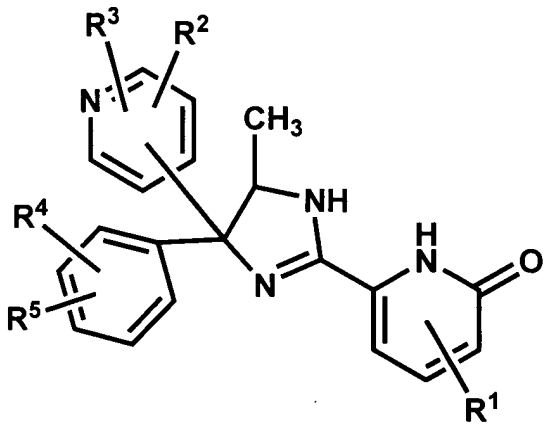
wherein P^1 is hydrogen or a hydroxy-protecting group; and R^{1p} is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, lower alkoxy, aralkyloxy or optionally protected hydroxy, to produce a compound of the formula (IV):



(IV)

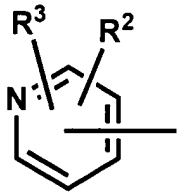
wherein P^1, R^{1p}, R^2, R^3, R^4 and R^5 have each the same meaning as defined above, and optionally removing the protecting group(s) from the compound (IV).

17. (Original) A process for preparing a compound of the formula (I):

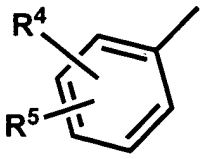


(I)

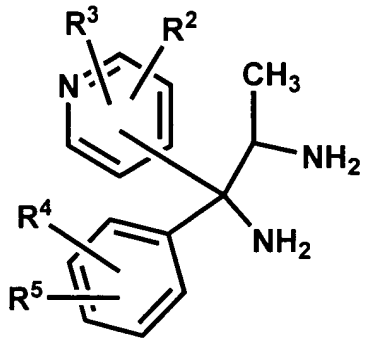
wherein R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; R^2 and R^3 are each independently hydrogen, halogen or halo-lower alkyl; and R^4 and R^5 are each independently hydrogen or halogen, provided that when R^1 is hydrogen, a group of the formula:



and a group of the formula:

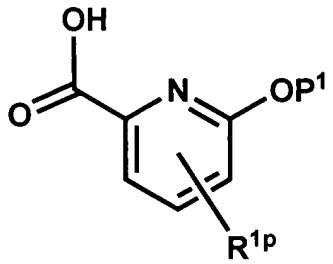


do not represent simultaneously 6-fluoro-3-pyridyl and 4-fluorophenyl, respectively, or a salt thereof, which comprises reacting a compound of the formula (II):



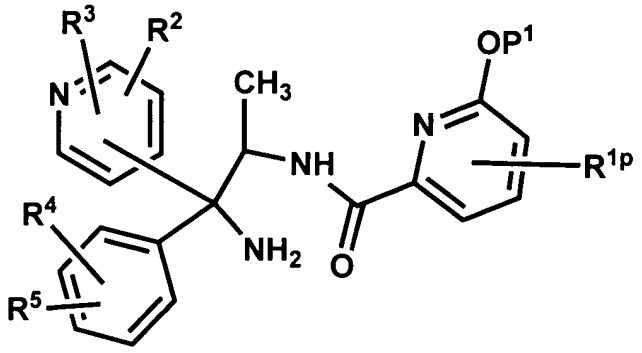
(II)

wherein R^2, R^3, R^4 and R^5 have each the same meaning as defined above, with a compound of the formula (VI):



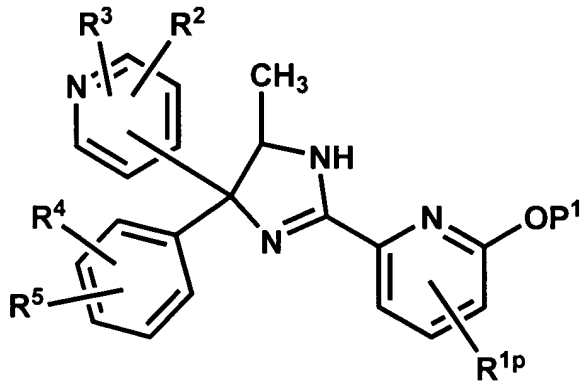
(VI)

wherein P^1 is hydrogen or a hydroxy-protecting group; and R^{1p} is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, lower alkoxy, aralkyloxy or optionally protected hydroxy, to produce a compound of the formula (VII):



(VII)

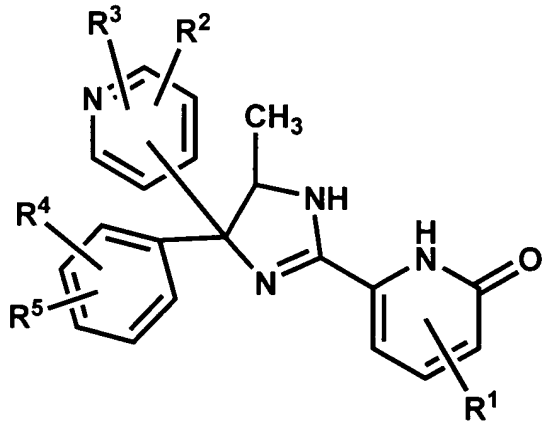
wherein P^1, R^{1p}, R^2, R^3, R^4 and R^5 have each the same meaning as defined above, subjecting the compound (VII) to intramolecular ring closure condensation to produce a compound of the formula (IV):



(IV)

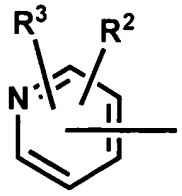
wherein P^1, R^{1p}, R^2, R^3, R^4 and R^5 have each the same meaning as defined above, and optionally removing the protecting group(s) from the compound (IV).

18. (Original) A neuropeptide Y receptor antagonist agent comprising a compound of the formula (I):

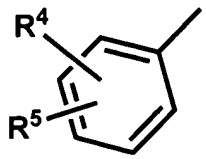


(I)

wherein R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; R^2 and R^3 are each independently hydrogen, halogen or halo-lower alkyl; and R^4 and R^5 are each independently hydrogen or halogen, provided that when R^1 is hydrogen, a group of the formula:

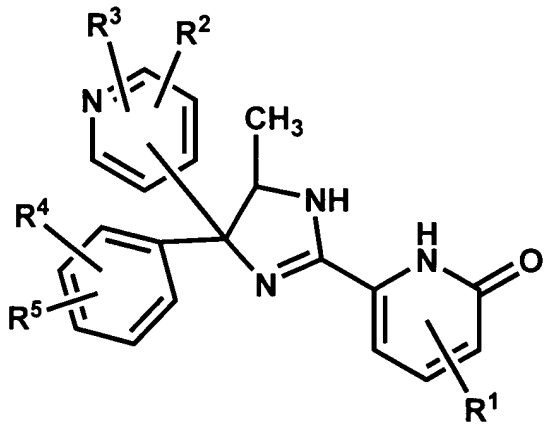


and a group of the formula:



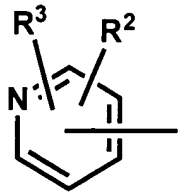
do not represent simultaneously 6-fluoro-3-pyridyl and 4-fluorophenyl, respectively, or a salt thereof as an active ingredient.

19. (Original) A pharmaceutical composition for the treatment of bulimia, obesity or diabetes, comprising a compound of the formula (I):

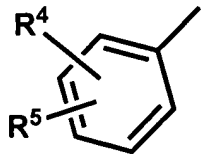


(I)

wherein R^1 is hydrogen, halogen, cyano, lower alkyl, halo-lower alkyl, hydroxy, lower alkoxy or aralkyloxy; R^2 and R^3 are each independently hydrogen, halogen or halo-lower alkyl; and R^4 and R^5 are each independently hydrogen or halogen, provided that when R^1 is hydrogen, a group of the formula:



and a group of the formula:



do not represent simultaneously 6-fluoro-3-pyridyl and 4-fluorophenyl, respectively, or a salt thereof as an active ingredient.

20. (New) The compound as claimed in Claim 3, wherein R^1 is hydrogen, halogen or hydroxy.